

U.S. District Court
Western District of VA.

Robert McKinley Blankenship

v. Case No 7:23-cv-00183

Harold Clark
Dept of Corrections

Grounds

In the above matter concerning the confiscation of a book written by Mr. Blankenship titled, "Indecent Liberties: A True Crime Modern Day Witch Hunt," herein referred to as, "Indecent Liberties." And a separate but related confiscation of 8 manila envelopes mailed to Mr. Blankenship from Cadmos Publishing which contained Mr. Blankenship's handwritten book and book manuscript.

The Court has requested the name, or names, of the person(s) involved. Mr. Blankenship made numerous attempts to obtain the names of mail room and property room personnel at Keen Mountain Prison responsible for the confiscation, this was done through Counselor Shortridge

and request forms, Mr. Blankenship was informed it is DOC policy that names never be given to prisoners, this would include the Publication review Committee in Richmond at the Dept. of Corrections. Mr. Blankenship was told the person responsible for the agents and their actions was, "Howard Clark," director of DOC which is actually "Harold Clark," amended. See Motion to Compel.

On May 9, 2023 personnel at Keen Mountain Prison acting under Harold Clark, Director of Dept. of Corrections, confiscated Mr. Blankenship's book, "Indecent Liberties," on the slanderous false grounds it promotes activities in violation of state or federal law, this is discrimination. The document referred to is the police report that not only is Mr. Blankenship allowed to possess but as it is part of his case file, legal, work. but Mr. Blankenship is required to possess and file the police report in legal proceedings, in fact, the police report is currently filed in Federal Habeas Corpus 7:23CV00174.

Mr. Blankenship avers that in the prison library there are numerous, "True Crime," books by authors like Ann Rule and others, from the prison library Mr. Blankenship holds, "The Girl with the Dragon Tattoo," which clearly depicts forced oral sex, anal rape and sexual bondage of an underage girl, there is the book, "Dead Souls," by Ian Rankin that depicts abduction, pedophilia and murder, there are thousands of books all depicting acts that violate state or federal law. Mr. Blankenship cites, upon request, prison officials will provide a Bible that contains murder, prostitution, rape up to and including by lot a wine drunken incest-rape of not one but two daughters age unspecified girls, the bible contains torture and murder by crucifixion all of which depict acts which violate state or federal laws.

Further, Mr. Blankenship, and thousands of offenders are in possession of police reports, trial transcripts, case files, statutes, codes, all depicting acts

that violate state or federal law. The entire Judicial System exists due to documents that depict violations of state or federal laws. Further, the prison maintains a law library where thousands of cases can be requested like, (Murry v. Carrier 477 U.S. 478, 91 L. Ed. 397, 106 S. Ct. 2639) all of which depict acts that violate a state or federal law.

Mr. Blankenship was not informed until after May 12, 2023 that also on May 9, 2023 prison officials, acting under Harold Clark, confiscated 8 manila envelopes that were mailed to Mr. Blankenship from Cadmus Publishing, the 8 manila envelopes contained Mr. Blankenship's handwritten book and manuscript and therefore not a "publication." They were Mr. Blankenship's own writings and legal documents Mr. Blankenship is allowed to possess up to and including Mr. Blankenship trial transcript and police report.

Later Mr. Blankenship was then informed that the Publication Review Committee,

in Richmond, Virginia, at the Dept. of Corrections, acting under Harold Clark. banned Mr. Blankenship's book on the claim it contained, "depictions and photos of nude children." This is false, it is both slander and libel it is a defamatory claim that Mr. Blankenship manufactured child pornography.

In Mr. Blankenship's book, "Indecent Liberties," there are photos of Mr. Blankenship, his wife Sarah Hale who was 69 at time of death in 2021, there is photo of an empty house, there are photos of American Eskimo Dogs. There are NO photos of children, nude or otherwise.

The document in the manufacture of child pornography claim is the police report in which Brandi Short states her shirt and bra were removed, BUT, in a video made by attorney Jim Shortt Brandi then states, "NONE OF HER CLOTHES WERE EVER REMOVED."

The document used to ban my book is the police report, written by Officer

Caldwell, sent to Mr. Blankenship in prison via legal mail and given to Mr. Blankenship by prison personnel, the possession and use of a police report or trial transcript does not constitute a claim of the manufacture of child pornography the claim is both slander and libel.

Further, in a separate and related event,

Prisoners and non-prisoners have a right to communicate by mail that is protected under the First Amendment of the U.S. Constitution.

(Abu-Jamal v. Price 154 F.3d 128, 134, 136, (3rd Cir. 1998)): granting preliminary injunction of against use of a rule against engaging in business or profession to interfere with prisoners "writing for publication."

(Tyler v. Ciccone 299 F. Supp. 684, 688. (WO MO 1969)): restrictions on detainee preparation of manuscripts struck down.

Prisoners have a First Amendment

right to write letters to the press and, "to write for publication."

The confiscation of the 8 manila envelopes mailed to Mr. Blankenship from Cadmus Publishing that contained Mr. Blankenship's handwritten book and book manuscript violated Mr. Blankenship's First Amendment Rights. That prison officials, after the suit, 7:23cv00183, was filed delivered the 8 manila envelope, this does not excuse the violation of constitutional rights to begin with.

Mr. Blankenship seeks fair and just compensation for clear discrimination in banning the book on the slanderous false claim it depicts naked children when Brandi said none of her clothes were ever removed.

Mr. Blankenship seeks the maximum award for multiple counts of violations of his First Amendment Rights.

Mr. Blankenship seeks the Court order, the possession and or use of a police report does not constitute the slanderous claim of manufacture of child pornography, that the Court order

Mr. Blankenship's book be removed from the banned book list and Mr. Blankenship book(s) be delivered to him.

In the event Mr. Blankenship's book(s) is lost, destroyed or otherwise not delivered that Harold Clark, Director of Dept. of Corrections be ordered to replace the book at DOC expense.

And that, "fair compensation," be awarded including the Court costs of the suit in case No 7:23CV00183.

The Violation of Constitutional Rights are never nor should ever be called, "a frivolous claim," under any circumstances.

With Respect
R M Blksp
Robert M. Blankenship

Notary on vacation
unavailable